

REMARKS

I. INTRODUCTION

In response to the Office Action dated December 28, 2004, claims 1-3, 5-7, 10-14, 16-19, and 21-25 have been amended and claims 26-28 have been cancelled. Claims 1-9, 10-19, and 21-25 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

III. CLAIM AMENDMENTS

Applicants have made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims and to overcome the rejections based on 35 USC 112. Accordingly, the amendments were not necessary to overcome the prior art, and no further search is necessary at this time. In this regard, Applicants submit that the amendments should be entered without the necessity for a request for continued examination.

IV. NON ART REJECTIONS

Applicants note that the independent claims have been amended to incorporate the subject matter from dependent claims 26-28.

On page (2) of the Office Action, claims 26-28 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Specifically, the Office Action provided:

The specification does not contain a clear and concise description of the process whereby a transient copy is deleted from a first client when a transient copy exists on a second client. Examiner maintains that in a distributed environment, there must be a plurality of copies of an object which are required by each client. It is difficult to imagine why a particular client's copy must be deleted. Claims 27 and 28 include similar language and are rejected for similar reasons.

Further, the Office Action responded to the prior arguments as follows:

Examiner is not persuaded. Above limitation is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicant fails to point out where in the specification above limitation is described in clear, concise terms such that a skilled artisan could make and use the invention. Furthermore, examiner reviewed the specification in detail and was not able to find a reference to unloading a transient copy from a user's workstation. Examiner finds it difficult to understand why a user's copy is deleted. It is unclear why the changes in this particular user's copy are not considered for incorporation in the master copy.

Applicants respectfully disagree with and traverse the above rejections. Specifically, Applicants direct the Examiner to paragraphs [0026], [0041], [0052], [0053], [0056], and [0057] of the

application as filed. These paragraphs all provide for unloading a transient copy from transient object cache in a client when a transient copy in another object is accessed.

In response to the assertion that the Examiner finds it difficult to understand why a user's copy is deleted, Applicants refer to the above paragraphs and in particular to paragraph [0057]. In this regard, in some circumstances, when a transient copy in one client is accessed, it may be modified thereby invalidating or making it such that a transient copy at another client has invalid data. Accordingly, by unloading such copy, the integrity of the data may be maintained (via a procedure known as "cache invalidation" see paragraph [0057]). As stated in paragraphs [0026], [0041], [0052], [0053], [0056], and [0057], the unloading provides the ability to manage permissions to persistent copies of objects in a database between distinct clients by allowing only one process at any one time to access a persistent object via a procedure known as "cache invalidation."

Applicants also note that while a rationale for unloading the transient copy is described above, such a rationale is not necessary for a determination of patentability. In addition, Applicants submit that the statement/assertion (that it is difficult to understand why the claimed invention performs certain tasks) amounts to an admission that the claimed invention is nonobvious. In this regard, the Examiner's statement in fact provides that there is no "suggestion of the desirability of doing what the inventor has done." (see MPEP 2142).

On page (3) of the Office Action, claims 12-22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Namely, the Office Action rejected the claims because it was unclear whether "(1) the persistent copy is updated or (2) a request is generated to update the persistent copy". Applicants note that the first paragraph of this rejection rejects claims 12-22 while the details provide a rationale with respect to claim 1. Applicants have amended the independent and dependent claims to more clearly specify the subject matter of the invention in view of the rejections.

Further, the rejection explicitly interpreted the "request for updating the persistent copy of the modified object" as a "requests for updating the persistent copy". Applicants have amended the claims in a manner consistent with this interpretation such that no further search would be necessary.

V. OFFICE ACTION SUBJECT MATTER REJECTION

On pages (3)-(4) of the Office Action, claims 12-19, 21, and 22 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Applicants have amended the claims to indicate that the steps are performed in a computer implemented system.

Applicants believe that the claims currently describe statutory subject matter. Should issues still remain in this regard, the Applicants request that the Examiner indicate how the rejection can be overcome and how problems may be resolved, in accordance with the directives of the Examination Guidelines for Computer-Related Inventions. See Guidelines II M.P.E.P. § 2106. Specifically, should it be necessary, the Applicants request that the Examiner identify features of the invention that would render the claimed subject matter statutory if recited in the claim. See Guidelines IV, M.P.E.P. § 2106.

VI. PRIOR ART REJECTIONS

On page (4) of the Office Action, claims 1-28 were rejected under 35 U.S.C. §102(b) as being anticipated by Linenbach et al., U.S. Patent No. 5,930,794 (Linenbach).

Specifically, the independent claims were rejected as follows:

Claims 1, 12 and 23-28:

Linenbach discloses:

- a database application makes modifications to transient copies of said persistent objects [Fig 5, step 510, col 7, lines 53-65]
- a database thread generates database transaction requests for updating the persistent copy of the modified object in response to said modifications [Fig 5, step 520]
- said requests are processed in a queue of database transaction requests at a lower priority than said modifications [col 9, lines 60-65]

Applicants have amended the independent claims to incorporate the material from prior dependent claims 26-28. Applicants note that claims 26-28 have not been rejected based on prior art grounds but merely based on 35 USC 112, which rejections have been addressed above.

Accordingly, the subject matter rejections are now moot.

In addition, Applicants submit that the various elements of Applicants' claimed invention together provide operational advantages over the systems disclosed in Linenbach. Further, Applicants' invention solves problems not recognized by Linenbach.

Thus, Applicants submit that independent claims 1, 12, 23, and 24 are allowable over Linenbach. Further, dependent claims 2-8, 10-11, 13-19, 21-22, and 25 are submitted to be

allowable over Linenbach in the same manner, because they are dependent on independent claims 1, 12, 23, and 24, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 2-8, 10-11, 13-19, 21-22, and 25 recite additional novel elements not shown by Linenbach.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,


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By their attorneys,

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